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## FORCE AS AN ELEMENT OF PACIFICATION \*

I should have been very much astonished if I had been told thirty years ago that some day I should compose a panegyric on force. That day has come, however; it has come after a long stretch of other days, in the course of which I have seen shaken little by little my hitherto absolute confidence in the power of justice and of reason. I am like a tree, which, having fastened its roots firmly in the soil, withstands for long years the assault of adverse winds before breaking the bonds which kept it standing.

If I may summarize in brief the experience of a life devoted to the cult of ideas, I am glad to say that a teacher at first has complete faith in the doctrines which he acquires and which he himself teaches in his turn. These doctrines he loves, because they represent in his eyes the eternal type of justice; he serves them with a kind of piety, because they are the image of the good, and because an honest man always rejoices in the thought that some good may result from his teachings. This is the period of faith, in which the neophyte in international law is astonished that the world does not conform to such lofty principles; in which he would reproach the universe for its indifference in this regard, if good sense did not keep watch within him, warning him how absurd it is in a man of study to pretend to say the last word concerning problems which men of action alone are acquainted with in their entirety.

Already in the course of this period of enthusiasm, certain doubts begin to dawn, and some unchanging facts appear inexplicable. Such, first of all, is the fact of war marking with its bloody trail all the pages of the records of humanity, although reason refuses to admit its necessity. How many other such facts might be placed alongside of this one, first in the domain of the law of war, then too in that of the law of peace; and how shall one explain the almost scandalous distance which separates practice from theory?

These doubts leave in the mind a furrow which time does not cease to widen, until the moment comes when theory alone does not suffice for the conduct of human affairs. The triumph of this idea, or, perhaps, rather a resigned admission of it, characterizes often the second period of the life of a man of study. Theory certainly has its virtues, and we still appreciate that there is no less

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\* Translated from the French by Professor Ralph W. Gifford of the Columbia Law School.

danger in failing to recognize its action than in exaggerating its power. Still, where is the true theory, the one corresponding to the nature of societies? The new public law, and by this we mean that which dates from the French Revolution, has known and preached many theories in succession. It is difficult to perceive what benefit the world has derived from it. The French Revolution was brought about in the name of the rights of man. From the proclamation of these rights, it expected the renovation of humanity; and it seems certain that in the beginning at least it was sincere, and really believed that it would spread in the world more liberty, more equality, more fraternity.

After a few years, this movement ended in the Empire, and the Empire in turn, after the cataclysm which engulfed it, ended in the restoration of the old regime. Then the sovereigns concluded together the Holy Alliance. Already in 1815, they guaranteed one another their possessions and their sovereign rights. The formula which they placed at the head of their alliance was doubtless the best that could be found. It is evident that if they had, in accordance with their promise, made their political conduct conform to the precepts of the Christian religion, their government would have reached perfection. The Holy Alliance did not survive the opposition of England and the declaration of principles of President Monroe. As a result of this striking check, the prestige of formulas lessened for a time; which does not mean that Europe remained inactive, for from this period date the liberation of Greece, and the ascent of Egypt toward civilization. Then came the Second Empire, and the Emperor Napoleon III, an enthusiast in the cult of ideas, allowed himself to be seduced by the deceptive formula of the right of nationalities. It will be enough for us to remember that it is to this formula that we owe the formation of consolidated Germany. Not that the force employed by Prussia was not the principal cause of this immense transformation, but because this force would undoubtedly not have been tolerated if statesmen and peoples had not been prepared to admit in favor of Germany the imprescriptible right to unite into a single body the various fragments into which the so-called German nationality was divided.

The principle of nationalities is very far from having exhausted the evil effect of which it is capable. Once the right of peoples to dispose of their own destinies became established, the principle of nationality covered Europe with ruins that no one has the means to restore. The Ottoman Empire reveals at the very moment of my

writing the extent of the evil that may be caused by a doctrine uncertain in its extent and insecure in its foundation, when one asserts the right to apply it to the conduct of the affairs of this world. Among which claimants shall the heritage of the Sultans of Constantinople be divided? Which ambitions will theory favor, and which peoples will succeed in covering their clearly imperialistic purposes with the respectable cloak of the right of nationality? But will this vast inheritance even be divided? It is not at all impossible that the Turk may owe his salvation to the difficulty experienced in satisfying all the appetites his ruin would arouse. More recently a new inspiration has traversed the world,—the idea of the solidarity of nations. Nations are partners both in good and in evil, we are forbidden to question it. Doubtless the whole course of history protests against this new dogma. Doubtless the present time shows us a great number of peoples having interests opposed and not in common; but in certain political schools experience does not count. The interests of nations ought to be in common; they are in common,—no more need be said! The interchange of false ideas reached its apogee at the Conferences at the Hague in 1899 and in 1907. It was deemed especially important in these solemn meetings to prepare the way for the chimera of perpetual peace. These efforts were vain, and the declamatory utterances which marked the close of these two meetings did not hide from anybody the setback which this idea had received.

All these theories, which to be sure were inspired by a certain anxiety for justice, all these attempts, in which good faith was not always lacking, have had a deplorable influence upon the public mind. We are not speaking here of those whose guileless infatuation makes them believe that they have found every morning the radical and final remedy for the evils of humanity; we are speaking of the masses, in whom good sense is not lacking, but who possess neither sufficient reflection nor sufficient education to defend themselves against certain seductions. Certainly for twenty years there has been no lack of lessons, for the facts have taken pains to meet the dreams of the doctrinaires with the most cutting denials. Ambitions have had full sway; the weak have been sacrificed to the strong; wars have succeeded wars; and, even within the limits of the great states, the struggle of the classes, another new dogma, has shattered the peace of society and is compromising the age-long work of civilization. The Utopians have lost none of their self-confidence on this account. According to them, it is only because they have not been heeded sufficiently that public misfortunes occur,

although observation demonstrates on the contrary that the greatest evils have come because the Utopians have been too much heeded.

The Utopians have obtained in the Treaty of Peace at Versailles a signal success. What has resulted from it? This treaty, although only a few months old, is going to pieces. The League of Nations, which was its great thought, is a phantasmagoria whose existence, kept up by haphazard means, will promptly fade away. The punishment of the guilty, which was its one just idea, is ending in a complete failure. The restitutions agreed upon have not taken place, the promised indemnities are not paid, the expected disarmament keeps receding and is lost in the unknown future. That is what is gained by wishing to make a new peace,—the dawn of a new day.

These facts, the importance of which it would be puerile to emphasize, are for the philosopher and the jurist the occasion of bitter reflections. Certainly all this political science, the baleful effects of which we see, was a false science, a science insufficiently oriented, the work of brains filled with vain conceits; but, after all, in these manifestly exaggerated ideas it is possible that there was some bit of reason; there was at least the laudable anxiety for a better future for humanity. How is it that they have succeeded in creating times worse than those that have gone before? Does progress then inevitably tend toward reaction? Let us at least try to account for the causes of the phenomena which are taking place before our eyes. Never has there been more need of a vigorous criticism.

The first point to which I wish to call attention is this: the influence of every political doctrine is inevitably superficial. I mean that it never penetrates to the vitals of a nation. The understanding of a doctrine presupposes an acquaintance with the general interests of a country, a just appreciation of the weakness or strength of the idea, and also a knowledge of history. All this presupposes minds which are enlightened, a condition which is the lot of but few persons in any country. Then, too, among many of them the pure gold of truth remains deeply embedded in the dross of self-interest and ambition. As for the plain citizen who constitutes the mass of the people, he never sees general questions save from the narrow angle of his immediate personal interest. He should not be reproached for this. It is not surprising that a man who finds it hard and painful to earn a living is not able to look beyond his living conditions. Thus it happens that one meets with surprising opinions. I shall never forget an old gondolier who

told me about twenty years ago that he longed for the days of the Austrians, and who, in answer to my stupidified "Why?" said that in the time of the Austrians there were much smaller taxes to pay. This did not accord with the recollections which had survived from my reading of Silvio Pellico. Moreover, a great number of experiences of the same class have led me to think that general ideas are seldom grasped by the populace without being strangely transformed in its brain, or utilized as a pretext for the most horrible excesses. The example that contemporary Russia gives us may serve as an illustration of this idea.

Inevitably ill-understood, and inevitably exaggerated, doctrines do not suffice by themselves for the conduct of the affairs of the world. They need the companionship of a conservative element, and this element is nothing less than the power of fact, which imposes itself on the will and represses the vagaries of the imagination,—of fact, which has always played and will always play a preponderant part in history.

Fact means nothing but the influence of force. Force is of itself neither a good nor an evil; everything depends on the spirit in which it is used. Force may be purely an element of anarchy and destruction; such is the force of Bolshevism in Russia, the success of which has reduced one of the richest and most powerful states on earth to the last degree of misery and savagery; such also in the midst of states more anciently civilized, is that force which is employed in the stupid struggle of classes, whose only tendency is to build, on the ruin of all the political fortunes of a few ambitious men.

Force is not in itself a blessing, nor is it the sign of the natural endowment of superiority. And when the learned among the Germans came forward to tell us that Germany, being above all others the strong nation, and from that very fact more enlightened than all other nations and superior to them, based upon that superiority a right to subject the universe to its direction, we paid no heed to them. And it was well for us that we did not, since we afterwards saw German civilization develop into perfidy and falsehood, and inaugurate on the battlefield the reign of pure barbarism.

Nevertheless, these examples, which we reluctantly cite, do not mean that force has not its part to play in the world. Force may be united with justice; justice cannot dispense with force; force when working with justice, but not against it, may even bring about benefits which justice working by itself alone will never bring about. It would be trivial to point out that justice in order

to make itself respected has need of the use of force; it will be more interesting to note that the action of force may be exercised side by side with that of justice and may fill the gaps left by justice in the too numerous cases in which justice turns out to be powerless. This function of force is but little noticed; it is not, however, unknown. Otherwise one could not explain the fact that force has been put in the list of theological virtues, and that Michelangelo has placed its image in the vault of the Sistine Chapel.

More recent events, those of yesterday, those even of to-day, cast a vivid light on this aspect of political science. No treaty at any epoch has been subjected to the influence of theory to the same extent as the Treaty of Versailles. At this date it is a matter of public knowledge that the Treaty is no better on this account. Without stopping to discuss the principles which serve as pillars to this temple, we will restrict ourselves to this idea, repeated a hundred times by its authors, that their desire was to make a just peace. Justice, however, cannot fail to emerge from this adventure in an extremely compromised condition. For it is absolutely clear that a justice which accords to those who have sacrificed themselves for it neither satisfactions for the present nor safeguards for the future can be nothing less than a simple parody of justice. Moreover, this peace, though hardly made, since it is still incompletely ratified, encounters already the worst possible difficulties in being carried out. The days of payment pass by; the promises made are not kept. We have on one side the firm will to have an agreement carried out which, all imperfect as it is, is nevertheless better than nothing; while at the same time we suspect on the other side the intention of eluding by the aid of various pretexts and cleverly contrived maneuvers, the obligations which they have assumed, until the day shall come when new power will permit this new scrap of paper to be openly torn to pieces.

In the presence of this distracting situation, who would dare affirm that the Treaty of Versailles will be carried out? It is a situation without precedent. To what must its origin be ascribed? To nothing less than the lack of the use of sufficient force. When Germany imposed upon us the grievous Treaty of Frankfort, her armies occupied a third part of France. We carried out the treaty even more quickly than we had promised. The very possibility of hesitation was forbidden us. At the moment when the armistice was signed, all that the Allies had to do was to designate the surrender of the positions which would assure them supremacy in German territory. Our enemies were then no longer in a position

to refuse us anything whatever. We contented ourselves on the eleventh of November with the phantom of an occupation; we can measure to-day the extent of the mistake we made. Why? Because the spectacle of a force confronting the Germans would have convinced them to the last man of the necessity of yielding instantly to the conqueror the concessions that he demanded. Then the guilty would have been found; the stolen riches would have found their way back to the dwellings from which they had been taken; the promised gold and coal would have been delivered. Force has a virtue which the most eloquent do not possess; it is the sign of a will sure of itself, and before such a sign clever devices great or small no longer count.

Our negligence, our insufficient understanding of things as they are, our puerile purpose of building a new world, while paying no heed either to the interests of peoples or to their sentiments, have given to our enemies an unexpected advantage. These are the things that allow them to keep on with war. To be sure, it is no longer a war of arms. Their arms are shattered and they have not yet had time to forge new ones. It is war through politics, but this war has its dangers too. Its activities remain hidden from us, but its results stand clear to the eyes of all. Why is no progress made with the most disquieting problems? The war has long since ended and the East remains plunged in limitless disorder. The fate of the Balkans is not yet settled; we are wholly ignorant of the impending destiny of the Ottoman Empire, and the provinces of this Empire that have already been detached face a future big with uncertainty. What will become of Russia, and when shall we decide to remind her of the responsibilities she has incurred? Other examples might easily be given.

War has ceased, but in reality peace has not been made, and the world has not recovered the equilibrium without which it can neither work nor live. Within the boundaries of the principal powers it is evident that seeds of civil war are being sown by unknown hands. What kind of peace is this which knows not one untroubled day?

The great cause of this state of things is, of course, the chimerical spirit which, unfortunately for the world, presided at the preparation of this strange treaty of peace. The arbiters of the fate of the conquered peoples thought that they could turn up their noses at the real safeguards with which it had been customary to fortify treaties of this class, putting their confidence in contrivances of the imagination, the flagrant inanity of which already appears.



Imperial Germany was warlike; it was decreed that democratic Germany should be pacific. It was a gross mistake, but the conquerors perceived it only after they had forsaken the substance for the shadow.

Let us return to our original idea. What is lacking in the politics of the present day is a judicious use of force. Not a day passes which does not add something to the demonstration of the idea that, in the critical circumstances through which the world is passing, no good can be expected without a reasonable and just use of force. But why waste time in proving the obvious? Since I took up my pen in answer to the invitation of Columbia University, have not the facts themselves undertaken to justify my doctrines? Only yesterday the press informed us that France was obliged to have recourse to force to obtain from Germany the execution of her promises. This is only a beginning, and the Germans are not the only ones who are awaiting this final method of producing conviction. Let no one think that the distracting Russian question and the almost desperate problem raised by the future of the Ottoman Empire can be solved without having recourse to the pure authority of force. In reality, the whole future of civilization rests at this moment on a judicious use of force, and the world has only the choice between preserving itself by means of a firm and constant use of force guided by reason, and foundering amid the convulsions of anarchy and of pure violence.

Political life, like physical life, has its laws that cannot be transgressed without danger of death. It is through having forgotten that political science cannot dispense with the aid of material force that the authors of the Treaty of Versailles have done a futile piece of work which is powerless to give the benefit of peace to exhausted Europe.

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PARIS, FRANCE  
FEBRUARY, 1920